

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

IN RE:  
EDGARDO J FIGUEROA AYALA  
LYDIA I TORRES REYES

DEBTOR (S)

CASE NO. 09-09714-ESL

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT  
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in

**R2016 STM. \$3,000.00**

<b>TOTAL ATTORNEYS FEES THRU PLAN: \$2,324.00   Fees paid: \$0.00   Fees Outstanding: \$2,324.00</b>
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With respect to the proposed (amended) Plan dated: **August 17, 2010** (Dkt 47).

Plan Base: **17,275.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]: Default in payments to Trustee.

Debtors are in arrears under the proposed plan for \$225.00.

- Feasibility: Default in Post Petition DSO payments. [§1325(a)(8)]

Debtors have failed to provide evidence of being up to date with post-petition DOS payment.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this November 05, 2010.

/s/ Jose R. Carrion

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/s/ Jose R. Carrion

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JOSE R. CARRION

CHAPTER 13 TRUSTEE

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